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July 18, 2018

Commissioner James P. Redeker  
Connecticut Department of Transportation  
2800 Berlin Turnpike  
P.O. Box 317546  
Newington, CT 06131-7546

Dear Commissioner Redeker:

The American Civil Liberties Union of Connecticut (ACLU-CT) strongly believes that people should not have to choose between moving freely in public spaces and protecting their civil liberties. As a result, we have serious concerns that the implementation of electronic tolling system technology in our state will unjustly invade the privacy of people who travel within and through Connecticut. We implore you to include specific recommendations regarding privacy protections in the Department of Transportation's electronic tolling proposal for consideration by the General Assembly, a study required by Governor Malloy's Executive Order No. 67. Any comprehensive proposal regarding electronic tolling must contemplate the important privacy issues at hand and recommend appropriate solutions to protect the privacy of people traveling in Connecticut.

A potential statewide electronic tolling system implicates serious privacy issues. Should an electronic tolling system be developed in our state, it will most likely use automatic license plate readers (ALPR's), which are cameras that can scan and record thousands of license plates per minute. When an ALPR system captures an image of a license plate, it also tags each file with the time, date, and GPS location of the photograph.

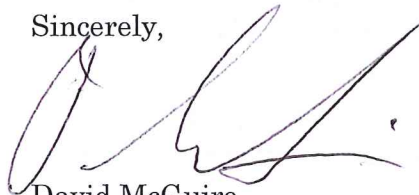
ALPR systems can enable the government to track where someone has gone, how fast they are going, where they are going, and who visits certain locations, raising serious First and Fourth Amendment concerns. From these ever-growing databases, it is easy to reconstruct someone's movements over weeks, months, or even years. Allowing the retention of data gathered by ALPR systems would open the door to retroactive government surveillance of innocent people without a warrant, without probable cause, and without any form of judicial oversight.

In addition, ALPR databases could be ripe for abuse by the federal government and for-profit corporations. This year, Vigilant Solutions<sup>i</sup>, the company that the Connecticut Capitol Chiefs of Police Association contracted with to provide the region's license plate reader database, announced that it had signed an agency-wide contract to provide Immigration and Customs Enforcement (ICE) with access to its full database of license plate reader scans, leaving immigrants in Connecticut vulnerable to surveillance and targeting by ICE.

In an effort to prevent the state from violating the civil liberties of people traveling in Connecticut, the Department of Transportation must consider the ways in which electronic tolling system data is collected, retained, and shared, including whether data can be sold to for-profit companies or whether cameras can be used for speed enforcement. We strongly encourage you to ensure that your department studies these privacy concerns and includes recommendations for strong privacy protections in its electronic tolling proposal to the Connecticut legislature.

We respectfully request the opportunity to meet with you in person to discuss our concerns regarding privacy rights and electronic tolling. Please direct your response to this request for a meeting directly to me via email at [dmcguire@acluct.org](mailto:dmcguire@acluct.org) or telephone at 860-471-8465.

Sincerely,



David McGuire  
Executive Director

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<sup>i</sup> United States Federal Business Opportunities, "Access to Commercially Available LPR Database," <https://www.fbo.gov/index?s=opportunity&mode=form&id=5629706f5736d22bd174b11965f5ac4c&tab=core&tabmode=list&=>, January 8, 2018.